

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2971 of 2023**

Arising Out of PS. Case No.-858 Year-2022 Thana- NAGAR District- Vaishali

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SANJEET KUMAR S/O JAY LAL RAI @ JAY LAL RAY Resident of
Village- Koari Buzurg, P.S.- Gangabridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 21-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
15.11.2022, in connection with Hajipur Town P.S. Case No.
858/2022, F.I.R. dated 14.11.2022, for the offences punishable
under Sections 341, 323, 324, 307, 379, 354, and 504/34 of the
Indian Penal Code.

According to prosecution case, the petitioner along
with other co-accused persons caught the hair of the mother of
the informant and slammed her on the ground and dragged the
saree of the mother of the informant due to which she got half
naked. It is further alleged that when the informant came to
rescue his mother then the accused persons assaulted the mother



of the informant.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case due to admitted previous land dispute. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act rather there is general and omnibus allegation against all the accused persons including the petitioner. It is not clear in the F.I.R. that who inflicted the knife blow upon the informant and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 15.11.2022.

The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 858/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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